IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.1649 OF 2007

Abdul Sattar Mohammed Ibrahim
(Nadaf) Mansoori .. Applicant.

V/s.

The State of Maharashtra .. Respondent.

Mr.N.N.Gawankar i/b.Mr.Arfan Sait for the applicant.
Mr.A.R.Patil, A.P.P. for the respondent.

CORAM : R.M. SAVANT, J.
(VACATION JUDGE)
DATE : 16th MAY, 2007.

P.C.:

1. This is an application for anticipatory bail in C.R.No.178 of 2007 registered with Bhiwandi City Police Station under Sections 323, 384, 385, 386, 387 read with Sections 504 and 506 of I.P.C.

2. It appears that there are cross complaints between

the accused-applicant herein and the complainant one Zaheer Khan. In the cross complaint filed by the accused-applicant herein the said Zaheer Khan has been granted anticipatory bail. It is the case of the complainant that he was threatened by the accused-applicant at gun point and a demand of Rs.3.00 lacs was made to him.

3. I have seen the papers in the above case as also the order passed by the Trial Court. There appears to be material against the accused-applicant which is in corroboration of the complaint, particularly in respect of the threat at gun point. It is also recorded that the applicant is in the habit of threatening people with such weapons. The police have also recorded that other offences are also registered against the applicant-accused. The investigation is to be carried out for which the custodial interrogation of the applicant is absolutely necessary, as also the weapon is to be recovered.

4. In that view of the matter, I am of the opinion that this is not a fit case to exercise discretion and grant anticipatory bail. However, it is made clear that

any observations made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of Trial. The applicant is granted 7 days time to surrender.

5. All concerned to act upon an authenticated true copy of this order.

6. The application stands rejected.

(R.M. SAVANT, J.)